

FILED IN CLERK'S OFFICE
U.S.D.C. - Rome

IN THE UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF GEORGIA
ROME DIVISION

APR - 9 2003

IN RE: TRI-STATE
CREMATORIAL LITIGATION

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MDL DOCKET NO. 1467

This relates to all actions.

LUTHER D. THOMAS, Clerk
By: *Sue M. Johnson* Deputy Clerk

**NOTICE OF INTENTION TO TAKE
VIDEOTAPE ORAL DEPOSITION**

YOU ARE HEREBY NOTIFIED that, pursuant to the terms and provisions of Fed. R. Civ. P. 26, *et seq.*, on the 15th day of April, 2003, commencing at 11:00 o'clock, a.m., at the offices of Brinson, Askew, Berry, Seigler, Richardson & Davis, LLP, 615 West First Street, Rome, Georgia 30161, before an officer duly authorized by law to administer oaths, the undersigned will proceed to take the videotape deposition of **Coroner DeWayne Wilson, Walker County Coroner's Office, 91 Industrial Drive, Chickamauga, GA 30707** for discovery, cross-examination, and all other purposes allowed by law.

Court reporting and videography services will be provided by Brown Reporting, 1740 Peachtree Street, N.E., Atlanta, Georgia 30309; telephone: 404.876.8979; 800.637.0293; facsimile: 404.876.1269.

The Deponent is further requested, pursuant to Fed. R. Civ. P. 30(b)(1), to produce at said deposition those documents and things listed as Exhibit "A" to the Subpoena for Appearance at Deposition and for the Production of Documents directed to Coroner DeWayne Wilson, a copy of which is attached hereto and incorporated in its entirety herein.

You are invited to attend and participate.

This 7th day of April, 2003.

By:



McCracken Poston
Georgia Bar No. 585606

Counsel for Marsh Defendants and
Lead Counsel for Tri-State Crematory

Post Office Box 1130
Ringgold, Georgia 30736
Telephone: (706) 965-8300
Facsimile: (706) 965-5413

CERTIFICATE OF SERVICE

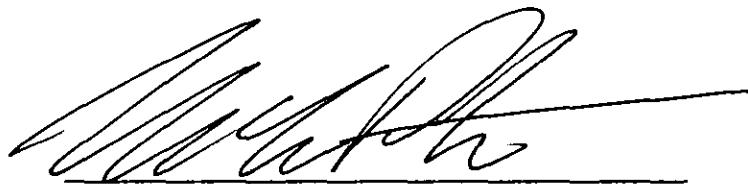
I hereby certify that I have this day served a copy of the within and foregoing **Notice of Intention to Take Videotape Oral Deposition of Coroner DeWayne Wilson** upon all parties to this matter by forwarding a true copy of same via U.S. Mail, First Class, proper postage prepaid, facsimile transmission or electronic mail (email) addressed to the parties and/or counsel of record in accordance with the attached service list.

Robert H. Smalley, III, Esq.
McCamy, Phillips, Tuggle & Fordham
PO Box 1105
Dalton, GA 30722-1105

J. Anderson Davis
Post Office Box 5513
Rome, Georgia 30162-5513

Frank E. Jenkins, III
Jenkins & Olson, P.C.
15 South Public Square
Cartersville, GA 30120-3350

This 7th day of April, 2003.



McCracken Poston

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ROME DIVISION

IN RE: TRI-STATE
CREMATORY LITIGATION)
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WUTHER D. THOMAS, Clerk
By: *John M. Jenkins* Deputy Clerk
MDL DOCKET NO. 1467

This relates to all actions.

CERTIFICATE OF SERVICE PURSUANT TO RULE 26.4

Pursuant to Rule 26, Fed. R. Civ. P., this is to certify that I have this date served a true and correct copy of the following **Notice Intention to Take Videotape Oral Deposition of Coroner DeWayne Wilson, Walker County Coroner, and Subpoena for Appearance at Deposition** upon all parties to this matter by depositing a true copy of same in the U. S. Mail, proper postage prepaid, addressed to counsel of record in accordance with the attached service list.

Robert H. Smalley, III, Esq.
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Dalton, GA 30722-1105

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